

labeling of Ward's Sore Throat Syrup was further objectionable, since the article contained alcohol in excess of the amount declared.

On June 18, 1935, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Dr. Ward's Medical Co., a corporation, Winona, Minn., alleging shipment by said company in violation of the Food and Drugs Act as amended, on or about September 1, 1933, and February 17, 1934, from the State of Minnesota into the State of Wisconsin of quantities of Ward's Chic Cura and Ward's Sore Throat Syrup, respectively, which were misbranded.

Analyses showed that Ward's Chic Cura consisted of a calcium carbonate mixture containing sulphur and plant material, and that Ward's Sore Throat Syrup consisted of a hydroalcoholic solution essentially glycerin, resinous material, and potassium chlorate.

The articles were alleged to be misbranded in that certain statements and designs regarding their curative and therapeutic effects, appearing in the labeling, falsely and fraudulently represented that the Chic Cura was effective as a treatment, remedy, and cure for chicken cholera, gapes, roup, and all the common diseases of fowls; and effective as a preventive of disease; and that the sore throat sirup was effective as a remedy for many kinds of sore throat, and especially in cases of quinsy. Misbranding of the sore throat sirup was alleged for the further reason that the statement "16% Alcohol", borne on the bottle label, was false and misleading since the said statement represented that the article contained 16 percent of alcohol, whereas it contained more than 16 percent of alcohol, namely, 21.5 percent of alcohol.

On June 18, 1935, a plea of nolo contendere was entered on behalf of the defendant company and the court imposed a fine of \$45.

W. R. GREGG, *Acting Secretary of Agriculture.*

25031. Adulteration and misbranding of Ditman's Sea Salt. U. S. v. 71 Boxes, et al., of Ditman's Sea Salt. Default decrees of condemnation and destruction. (F. & D. nos. 35061, 35309. Sample nos. 11857-B, 26191-B.)

This case involved a product the labeling of which contained unwarranted curative and therapeutic claims. The labeling was further objectionable, since the article was represented to consist of salts obtained by the evaporation of sea water, whereas its composition differed materially from sea salts so obtained.

On February 18 and April 6, 1935, the United States attorney for the District of Colorado, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 176 boxes of sea salt at Denver, Colo., consigned by A. J. Ditman, from New York, N. Y., alleging that the article had been shipped in interstate commerce between the dates of September 2, 1932, and February 1, 1935, from the State of New York into the State of Colorado and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample showed that it contained 98.3 percent of sodium chloride, calcium salts estimated as calcium oxide (0.25 percent), and traces of magnesium and sulphate compounds. It contained a much smaller proportion of calcium, magnesium, and sulphate than does sea salt obtained by evaporating sea water.

The article was alleged to be adulterated in that its strength fell below the professed standard and quality under which it was sold, namely, "Sea Salt * * * This Salt being extracted directly from Sea Water by evaporation."

Misbranding was alleged for the reason that the following statements appearing on the label were false and misleading: "Ditman's Sea Salt for Producing A Real Sea Salt Bath at Home * * * This Salt being extracted directly from Sea Water by evaporation * * * For Producing Real Sea Salt Water at Home Dissolve a coffee cup full of this Salt in one gallon of ordinary water. Purified Sea Salt For Producing Real Sea Salt Water at Home. By dissolving six ounces (or about an ordinary coffee cupful) of this Salt in one gallon of water." Misbranding was alleged for the further reason that the following statements appearing in the labeling were false and fraudulent: "This Salt being extracted directly from Sea Water by evaporation has all the medicinal advantages of the natural water * * * Can be used * * * as remedial agent in Debility, Languor, Rheumatism, Weakness of the Joints and Muscular System and for its bracing and vivifying influence generally."

A portion of the article was alleged to be misbranded for the further reason that the curative and therapeutic claims appearing in a circular shipped with certain lots were also false and fraudulent.

On April 13 and June 24, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25032. Misbranding of Lucorol. U. S. v. 35 Boxes and 16 Packages of Lucorol. Default decrees of condemnation and destruction. (F. & D. nos. 35152, 35222. Sample nos. 21521-B, 21539-B.)

These cases involved a drug preparation the labeling of which contained unwarranted curative and therapeutic effects.

On February 18 and March 5, 1935, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 35 boxes and 16 packages of Lucorol at Newark, N. J., alleging that the article had been shipped in interstate commerce between the dates of December 17, 1934, and February 4, 1935, by Peck & Sterba, Inc., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

A sample of the product analyzed by this Department was found to consist essentially of oxyquinoline sulphate (0.87 percent), boric acid, a small proportion of an aluminum compound, a gum, glycerin, and water.

The article was alleged to be misbranded in that the following statements appearing in the labeling were statements regarding the curative or therapeutic effects of the article and were false and fraudulent: (Carton and tube) "Lucorol For Protective Feminine Hygiene"; (circular) "Lucorol * * * Directions for Treatment of Leucorrhea (The Whites) Apply Lucorol each night during treatment in vaginal tract by use of applicator. Insert full length, turn key one-quarter turn; remove slowly, gently moving in a rotary motion so as to spread Lucorol over the vaginal walls. Douche with warm water one or twice a week only. Its * * * healing properties will make itself felt after two or three days. It may take two or three tubes to clear up a severe case."

On April 29, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25033. Misbranding of artificial Vichy water powders and Ferro-China Doria. U. S. v. 33 Packages of Artificial Vichy Water Powders and 36 Bottles of Ferro-China Doria. Default decrees of condemnation and destruction. (F. & D. nos. 35229, 35230. Sample nos. 28901-B, 28902-B.)

These cases involved drug preparations which were misbranded because of unwarranted curative and therapeutic claims in the labels.

On March 8, 1935, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 33 packages of artificial Vichy water powders and 36 bottles of Ferro-China Doria at Boston, Mass., alleging that the articles had been shipped in interstate commerce on or about February 4, 1935, by the Chas. Cassese Importing Co., from Paterson, N. J., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the artificial Vichy water powders consisted of large packages containing sodium bicarbonate (93.6 percent), sodium chloride, and magnesium sulphate, and small packages containing tartaric acid; and that the Ferro-China Doria contained a compound of iron such as iron and ammonium citrate equivalent to 3.2 grams of that compound per 100 milliliters, cinchona alkaloids (70 milligrams per 100 milliliters), alcohol (13.8 percent), sugar, spices, and water.

The articles were alleged to be misbranded in that the following statements appearing in the labeling, regarding their curative and therapeutic effects, were false and fraudulent: (Artificial Vichy water powders) "Recognized as the best in all cases of Chronic Indigestion, Acute Stomach Trouble, diseases of the Liver, Kidneys, Bowels, etc."; (Ferro-China Doria) "Useful in the treatment of Anemia, Loss of Appetite * * * and general Debility."

On April 29, 1935, no claimant having appeared, judgments of condemnation were entered and it was ordered that the products be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*